

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLIATION NO.1474/06

Shri.Ganesh Bharat Mohite Applicant

V/s.

The State of Maharashtra Respondent

Shri.Yogesh D. Pawar Adv. for the applicant.

Miss.S.D. Shinde APP for the State.

CORAM : V.M. KANADE, J.

DATED : 03/05/06

P.C.:-

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. The applicant was arrested on 13/07/2005 in connection with C.R.No.233/2005 registered with Wanawadi Police Station for the offences punishable U/s.302, 307, 143, 147, 148, 149, 120(B) r/w 34 of IPC.

3. It is alleged that the applicant and others were responsible for the death of a person who was traveling in Maruti Zen on 30/6/2005. Incident was

witnessed by the complainant. The applicant has not been identified in ID parade. Only material against him is the recovery of weapons at his instance. C.A. Report has not been received by the I.O. Chargesheet has been filed. Other applicants are released on bail. The applicant seeks bail on the ground of parity. Since only material which is available against the present applicant is in the form of recovery of blood-stained weapon and C.A. report has not been received by the police, there is no material against the present applicant.

4. Under these circumstance, the applicant be released on bail in the sum of Rs.5,000/- with one or two sureties in the like amount. The applicant shall report to the Wanawadi Police Station twice in a month. The applicant shall not tamper with the evidence and threaten the witness.

5. The application is accordingly disposed of.

V.M. KANADE J.